

ENVIRONMENTAL PLANNING & ASSESSMENT ACT 1979

DETERMINATION OF MAJOR PROJECT NO. 06_116

(FILE NO. 9042493 – 2)

I, the Minister for Planning, under the *Environmental Planning and Assessment Act 1979* determine:

- (a) to approve, under Section 750(1) of the *Environmental Planning and Assessment Act 1979*, the concept plan referred to in Schedule 1, subject to the terms and modifications set out in Schedule 1;
- (b) to approve, under Section 75J(1) of the *Environmental Planning and Assessment Act 1979*, the project application referred to in Schedule 2 for the excavation works and structural works up to ground level for the new eight storey core hospital building by granting approval subject to the conditions set out in Schedule 2;
- (c) pursuant to section 75P(1)(c) of the *Environmental Planning and Assessment Act 1979*, that the excavation works and structural works up to ground level for the new eight storey core hospital require no further environmental assessment; and
- (d) pursuant to section 75P(1)(a) of the *Environmental Planning and Assessment Act 1979*, the further environmental assessment requirements for approval to carry out the Liverpool Hospital Redevelopment project, as detailed in Schedule 2.

The reasons for the imposition of modifications and conditions are:

- (a) To encourage good urban design and a high standard of architecture.
- (b) To ensure future development is sensitive to adjoining heritage items.
- (c) To adequately mitigate the environmental and construction impacts of the development.
- (d) To reasonably protect the amenity of the local area.

Frank Sartor MP
Minister for Planning

Sydney,

2007

SCHEDULE 1

PART A — TABLE

Application made by:	Health Administration Corporation
Application made to:	Minister for Planning
Major Project Number:	06_0116
On land comprising:	Lots 1-3 DP 827031, Lot 1-3 DP 596770, Lot 101 DP 793557, Lot 2 DP 805696, Lot 1 DP 863491, Lot 1 DP 581947, Lot A DP 432628, Lots A & B 404723, Lot 1 DP 724026, and Lots 2-13 DP 758620.
Local Government Area	Liverpool City Council
For the carrying out of:	Redevelopment of Liverpool Hospital as described in Part C of Schedule 1.
Capital Investment Value	Approximately \$390 million
Type of development:	Concept approval under Part 3A of the EP&A Act
Determination made on:	2 February 2007
Determination:	Concept approval is granted subject to the modifications outlined in Part C of Schedule 1 below.
Date of commencement of approval:	This approval commences on the date of the Minister's approval.
Date approval is liable to lapse	5 years from the date of determination unless specified action has been taken in accordance with Section 75Y of the EP&A Act.

PART B — DEFINITIONS

In this approval the following definitions apply:

Act, the	<i>Environmental Planning and Assessment Act, 1979</i>
Conditions of Approval	The Minister's conditions of approval for the project.
Council	Liverpool City Council
Department, the	Department of Planning
Director-General, the	Director-General of the Department of Planning (or delegate).
EA	<i>Liverpool Hospital Redevelopment Concept Application and Environmental Assessment</i> (including accompanying Appendices) prepared by LFA (Pacific) Pty Ltd for NSW Health and dated August 2006.
Minister, the	Minister for Planning.
Modifications of Approval	The Minister's modifications of approval for the concept plan.
Preferred Project Report (PPR)	<i>Preferred Project Report for the Liverpool Hospital Concept Plan Application</i> (including supporting documentation) prepared by LFA (Pacific) Pty Ltd for NSW Health and dated December 2006.
Proponent	Health Administration Corporation and Sydney South West Area Health Service (of NSW Health)
Statement of Commitments	Statement of Commitments on pages 31-38 of the Preferred Project Report.

PART C — MODIFICATIONS

MAJOR PROJECT APPLICATION NO. MP 06_0116

1 TERMS OF THE APPROVAL

1.1 Concept Plan approval is granted for:

- (a) Land use distribution addressing hospital expansion, consolidation, and rationalisation; new hospital building footprints and heights; expanded research and educational facilities; provision of accommodation for students and nursing and medical staff; and accommodation for patient's relatives;
- (b) Vehicular access and car parking arrangements with links to all hospital facilities; grade separated pedestrian access across north-south railway to the eastern campus; new car parking facilities and new hierarchy and layout of internal and external access roads and bridges, including road bridge across the rail line; and new and enhanced hospital entry points;
- (c) Landscaping including new pedestrian links and the introduction of a major east-west pedestrian mall;
- (d) Early works to facilitate construction of a new eight storey core hospital development, associated site infrastructure and the east campus car park;
- (e) Early site preparatory works including utility services divisions, demolition, in-ground engineering services, bulk excavation and temporary accommodations for the construction period; and
- (f) Detailed excavation works and structural works up to ground level for the new eight storey core hospital building.

1.2 The development shall be in accordance with the following plans and documentation:

<i>Liverpool Hospital Redevelopment Concept Application and Environmental Assessment (including accompanying Appendices) prepared by LFA (Pacific) Pty Ltd for NSW Health and dated August 2006</i>
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<i>Preferred Project Report for the Liverpool Hospital Concept Plan Application (including accompanying plans) prepared by LFA (Pacific) Pty Ltd for NSW Health and dated December 2006</i> Architectural (or Design) Drawings prepared by Sutera Architects Pty Ltd

<i>Statement of Commitments prepared by LFA (Pacific) Pty Ltd for NSW Health and dated December 2006</i>

- 1.3 In the event of any inconsistency between modifications of this concept approval and the plans and documentation referred to above, the modifications of this concept approval prevail.
- 1.4 This concept approval shall lapse on 31 December 2012, unless works the subject of any related project approval are physically commenced on or before that date. The Director-General may extend this lapse date if the Proponent demonstrates to the satisfaction of the Director-General that the hospital proposal remains current, appropriate and reflective of best practice at the date the approval would otherwise lapse.

2 LANDOWNER'S CONSENT

- 2.1 Written land owner's consent must be lodged with any development or project application for any works and / or activities proposed on land not owned by the proponent. Where landowner's consent cannot be obtained any such application must demonstrate to the Department's satisfaction that suitable alternative arrangements can be made (particularly regarding access) with little or no impact to any land not owned by the proponent. Such arrangements must be submitted and agreed to by the Department prior to the commencement of any construction stage, major construction activity or construction compound (excluding the early works package approved in Schedule 2).

3 PLANNING AGREEMENTS

- 3.1 The planning agreements shall be prepared and executed prior to the lodgement of any subsequent project or development application (excluding the excavation works and structural works up to ground level), or as otherwise determined by the Director General.

4 STAGING

- 4.1 Prior to the lodgement of any subsequent project or development application the Proponent shall develop and implement a Staging Program to outline implementation of this concept approval and all related project approvals.

The Program shall include, but not necessarily be limited to:

- (a) provision of uses, services and facilities;
- (b) gross floor area;
- (c) car parking;
- (d) likely assessment and approval procedures; and
- (e) likely timing of each of the stages.

5 PROJECT APPLICATIONS AND SPECIFIC REQUIREMENTS

Core Hospital Future Development Zone – TAFE Site

- 5.1 Pursuant to section 75P(1)(a) of the *Environmental Planning and Assessment Act 1979* the following environmental assessment requirements apply with respect to the Liverpool Hospital project for development of the core hospital future development zone south of Elizabeth Street and immediately adjoining the TAFE site:
- (a) details of the project, including lot area, proposed use, footprint, maximum height (RL), maximum floor space, setbacks, and maximum number of car parking spaces to be provided;
 - (b) design details of the proposed external materials and finishes, including schedules and a sample board of materials and colours;
 - (c) a detailed project-specific Statement of Commitments, consistent with the Statement of Commitments prepared for the Liverpool Hospital Redevelopment concept plan, with a clear indication of any new or amended commitments relating to the project;
 - (d) a demonstration that the project is consistent with the requirements of this approval and generally consistent with the scope and intent of the concept outlined in the documents above;
 - (e) a demonstration that the project has been designed having regard to the character, scale, form, siting, materials and colour, and detailing criteria identified in the NSW Heritage Office's *Design in Context: Guidelines for Infill Development in the Historic Environment* (2005);
 - (f) a demonstration that the project has been generally designed to take into account and, where relevant, mitigate against, the heritage impacts of the adjoining TAFE buildings and their recognised curtilages; and
 - (g) a demonstration that best endeavours have been used to develop the site in consultation with TAFE and considered possible options for a health / education joint venture where such a project is feasible;
 - (h) an assessment of potential traffic impacts associated with the construction and operation of the project;
 - (i) general construction impacts associated with the project, and how these impacts will be mitigated, monitored and managed.

Pedestrian Access Principles

- 5.2 The provision of overhead pedestrian bridge links across streets (as opposed to across the rail line) should only be pursued where the proponent can demonstrate they are necessary for functioning (eg: movement of sensitive hospital equipment) and / or safety reasons for hospital patients, and shall be to the Director General's satisfaction.

- 5.3 Any such overhead pedestrian bridge if pursued, shall be visually light and not compromise an active street frontage and positive building address to the street and address “safer by design” and crime prevention principles.
- 5.4 Any subsequent project or development application for the southern most primary landscape zone in the East Campus (Figure 3.09 of the Liverpool Hospital Redevelopment Concept Plan) shall encourage and provide for pedestrian access to the Georges River Foreshore, particularly for hospital staff, patient's and visitors.

Future Project and Development Applications

- 5.5 Pursuant to section 75P(1)(a) of the *Environmental Planning and Assessment Act 1979* the following environmental assessment requirements apply to any subsequent applications made under either Part 3A or Part 4 of the *Environmental Planning and Assessment Act 1979*:
- (a) Noise and Vibration Impact Statement(s) (NVIS) are to be prepared for construction stages, major construction activity and construction compound and submitted with the application for assessment. The NVIS(s) must be prepared by a recognised acoustic consultant and address proposed construction and operational impacts to ensure there are no significant impact on adjoining land uses and no adverse impacts within the hospital from external sources, particularly rail;
 - (b) car parking assessment(s) are to be prepared for each Project Application under Part 3A or Development Application, excluding the construction compound and submitted with the application for assessment. The assessment(s) is to include but not be limited to:
 - i. proposed operational quantum and location of both on-site and on-street car parking spaces for staff, patients, and visitors;
 - ii. proposed operational quantum and location of car parking for people with disabilities having regard to AS 1428;
 - iii. details of any initiatives to reduce modal split and/ or promote usage of public transport that would reduce car parking rates; and
 - iv. provision of temporary car parking requirements for construction workers.
 - (c) an assessment of the construction activities on acid sulfate soils and how related impacts will be mitigated, monitored and managed.

Multi – Deck Car Parking

- 5.6 The impact of new above ground multi-deck parking should be minimised, as viewed from public streets.
- 5.7 Pursuant to section 75P(1)(a) of the *Environmental Planning and Assessment Act 1979* the following environmental assessment requirements apply with respect to the Liverpool Hospital project for development proposing multi-deck car parking:
- (a) details of the proposed dimensions (including floor plate size, width, length and height) and parking amounts and rates;
 - (b) design details of the proposed external materials and finishes, including schedules and a sample board of materials and colours;
 - (c) a demonstration that the design of such facilities has sought to minimise visual impact through appropriate quality architectural features, provision of screening or landscape to screen the view, etc;
 - (d) a demonstration that safe and secure access will be provided to and from the multi-deck car parking; and
 - (e) a demonstration that alternatives have been considered.

6 COMMUNITY INFORMATION, CONSULTATION AND INVOLVEMENT

Complaints Procedure

- 6.1 Prior to the commencement of construction of any project associated with this concept approval, the Proponent shall ensure that the following are available for community complaints for the life of each of the projects:
- (a) a telephone number on which complaints about construction and operational activities may be registered;

- (b) a postal address to which written complaints may be sent; and
- (c) an email address to which electronic complaints may be transmitted.

- 6.2 The Proponent shall make provision for notification of the telephone number, postal address and email address on it's website and at a prominent location for each construction site.
- 6.3 The Proponent shall record details of all complaints received through the means listed under modification 6.1 of this approval in the Proponent's existing complaints management system.
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SCHEDULE 2

PART A — TABLE

Application made by:	Health Administration Corporation
Application made to:	Minister for Planning
Major Project Number:	06_0116
On land comprising:	Lots 1-3 DP 827031, Lot 1-3 DP 596770, Lot 101 DP 793557, Lot 2 DP 805696, Lot 1 DP 863491, Lot 1 DP 581947, Lot A DP 432628, Lots A & B 404723, Lot 1 DP 724026, and Lots 2-13 DP 758620.
Local Government Area	Liverpool City Council
For the carrying out of:	Demolition, remediation works, service diversions, archaeological assessment, excavation and structural works as described in Part C of Schedule 2.
Capital Investment Value	Approximately \$13.5 million
Type of development:	Project approval under Part 3A of the EP&A Act
Determination made on:	
Determination:	Project approval is granted subject to the conditions outlined in Part C of Schedule 2 below.
Date of commencement of approval:	This approval commences on the date of the Minister's approval.
Date approval is liable to lapse	5 years from the date of determination unless specified action has been taken in accordance with Section 75Y of the EP&A Act.

PART B — DEFINITIONS

In this approval the following definitions apply:

Act, the	<i>Environmental Planning and Assessment Act, 1979</i>
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PART C — MODIFICATIONS

MAJOR PROJECT APPLICATION NO. MP 06_0116

1 TERMS OF THE APPROVAL

1.1 Project Application approval is granted for:

- (a) Identification, diversion, relocation and reconnection of existing reticulated services (in-ground and above ground) that may be affected by the proposed demolition of existing buildings and / or earthworks excavation;
- (b) Archaeological assessment and investigations, preparation and implementation of a heritage management plan for monitoring, removal, archiving and protection of materials as required for building demolitions and / or excavation;
- (c) Demolition of South Wing, B Wing, D Wing, Workshops and Linen (corporate services linen and associated workshops), Engineering (engineering offices, workshops and sheds), interconnecting corridors and Ron Dunbier – East Wing;
- (d) Construction of new facades / service wall for the western wing of the existing Ron Dunbier accommodation building;
- (e) Internal adaptation of existing buildings to accommodate dislocated services (as a result of demolitions);
- (f) Bulk excavation;
- (g) Identification, monitoring and removal of hazardous materials following further detailed hazardous material and soil contamination investigations; and
- (h) Structural works to ground level including piling, piers, slabs and columns,

1.2 The development shall be in accordance with the following plans and documentation:

<i>Liverpool Hospital Redevelopment Concept Application and Environmental Assessment (including accompanying Appendices) prepared by LFA (Pacific) Pty Ltd for NSW Health and dated August 2006</i>
<i>Preferred Project Report for the Liverpool Hospital Concept Plan Application (including accompanying plans) prepared by LFA (Pacific) Pty Ltd for NSW Health and dated December 2006 Architectural (or Design) Drawings prepared by Sutera Architects Pty Ltd</i>
<i>Statement of Commitments prepared by LFA (Pacific) Pty Ltd for NSW Health and dated December 2006</i>

- 1.3 In the event of any inconsistency between conditions of this project approval and the plans and documentation referred to above, the conditions of this approval prevail.
- 1.4 This approval shall lapse on 31 December 2012, unless works the subject of any related project approval are physically commenced on or before that date.
- 1.5 The proponent shall comply with all relevant Australian Standards and Codes (including Building Code of Australia) and obtain all necessary approvals required by State and Commonwealth legislation in undertaking the project.

2 SPECIFIC ENVIRONMENTAL CONDITIONS

Waste Management

- 2.1 All wastes generated by the project, shall be beneficially reused, recycled or directed to a waste facility lawfully permitted to accept the materials.

Visual Amenity

- 2.2 The Proponent shall ensure that all new external lighting associated with the project is mounted, screened, and directed in such a manner so as not to create a nuisance to surrounding land uses. The lighting shall be the minimum level of illumination necessary, and be in general accordance with AS 4282 – 1997 *Control of the Obtrusive Effects of Outdoor Lighting*.

Noise and Vibration Management

- 2.3 The Proponent must consult with education institutions and minimise the impact of noise generating demolition and / or construction works in their vicinity. The Proponent must ensure that such works audible at an institution are not timetabled during important events, such as examination periods, unless arrangements acceptable to the affected institutions are made at no cost to the affected institutions.
- 2.4 Wherever practical, piling activities must be completed using bored piles unless otherwise agreed by the Director-General. If driven piles are proposed, reasons they are required must be specified in the CEMP.
- 2.5 Blasting is not permitted during construction unless otherwise approved by the DEC in an Environmental Protection Licence required under the *Protection of the Environmental Operations Act 1997*.

ENVIRONMENTAL REPORTING**Incident Reporting**

- 3.1 The Proponent shall notify the Director-General of any incident with actual or potential significant off-site impacts on people or the biophysical environment as soon as practicable and within 24 hours after the occurrence of the incident. The Proponent shall provide full written details of the incident to the Director-General within seven days of the date on which the incident occurred.
- 3.2 The Proponent shall meet the requirements of the Director-General to address the cause or impact of any incident, as it relates to this approval, reported in accordance with condition 3.1 of this approval, within such period as the Director-General may require.
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